

FILED 08 AUG 27 15:15 USDC-ORP

IN THE UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF OREGON

DOUGLAS D. SANDS,

Plaintiff,

vs.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant

Civil No. 3:07-CV-45-MA

ORDER FOR REMAND

Based on the stipulation of the parties, it is hereby ORDERED that the above-captioned case be reversed and remanded for a *de novo* hearing and further administrative proceedings, including but not limited to the following: the administrative law judge will update the record with existing medical evidence; obtain a consultative psychiatric examination with psychological testing to assess Plaintiff's impairment related functional limitations, with and without alcohol and drug abuse; re-evaluate the medical opinion evidence of record, particularly the opinion from Dr. Dixon; re-evaluate the lay evidence from Harvey Klein and Joyce Canutt; re-evaluate the credibility of Plaintiff's subjective complaints; re-evaluate Plaintiff's RFC; re-evaluate

whether Plaintiff retains the RFC to return to his past relevant work; and, if warranted, obtain supplemental evidence from a vocational expert at step five of the sequential evaluation process.

This remand is pursuant to sentence four of 42 U.S.C. § 405(g). Plaintiff is entitled to reasonable attorney fees and costs pursuant to 28 USC 2412(d) upon proper request to the Court. Upon proper presentation, this Court will consider Plaintiff's application for costs and attorney's fees under 28 U.S.C. § 2412(d) and 42 U.S.C. § 406(b).

DATED this 27 day of August, 2008.

  
UNITED STATES DISTRICT JUDGE

Presented by:

s/ Thomas M. Elsberry  
THOMAS M. ELSBERRY  
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